

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DONALD J. TRUMP; THE TRUMP ORGANIZATION, INC.; TRUMP ORGANIZATION LLC; THE TRUMP CORPORATION; DJT HOLDINGS LLC; THE DONALD J. TRUMP REVOCABLE TRUST; and TRUMP OLD POST OFFICE LLC,

Plaintiffs,

v.

Case No. 1:19-cv-01136-APM

MAZARS USA LLP,

Defendant,

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM OF THE U.S. HOUSE OF REPRESENTATIVES,

Intervenor-Defendant.

INTERVENOR-DEFENDANT'S RESPONSE TO THE COURT'S MAY 9, 2019 ORDER

Pursuant to the Court's May 9, 2019 Order (ECF No. 25), Intervenor-defendant Committee on Oversight and Reform of the U.S. House of Representatives advises the Court that it agrees with consolidation of the May 14, 2019 hearing with a trial on the merits under Federal Rule of Civil Procedure 65(a)(2). The Committee agrees with the Court's conclusion that a final, merits determination is appropriate at this juncture.

This matter exclusively involves questions of law, and discovery is neither necessary nor permitted. *See, e.g.*, U.S. Const., art. 1, § 6, cl. 1; *Eastland v. U. S. Servicemen's Fund*, 421 U.S. 491, 503 (1975) ("Legislators acting within the sphere of legitimate legislative activity should be

protected not only from the consequences of litigation's results but also from the burden of defending themselves.") (quotation marks omitted).

In the event that the Court declines to consolidate tomorrow's hearing under Rule 65(a)(2), the Committee nonetheless urges the Court to proceed with a hearing on the motion for a preliminary injunction. As the Committee has already noted, plaintiffs' complaint lacks merit and an expeditious resolution of the subpoena's validity is necessary for the Committee's investigations to continue. *See* Opp'n at 26-27; *Munaf v. Geren*, 553 U.S. 674, 705 (2008).

Respectfully submitted,

/s/ Douglas N. Letter

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May 13, 2019

CERTIFICATE OF SERVICE

I certify that on May 13, 2019, I caused the foregoing document to be filed via this Court's CM/ECF system, which I understand caused service on all registered parties.

/s/ Douglas N. Letter
Douglas N. Letter